IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 1ST NOVEMBER 2007 / 10TH KARTHIKA 1929

WP(C).No. 32419 of 2007(H)

PETITIONER:

ASHARF P.P., AGED 22,
S/O. MOIDEEN, PUTHIPURATH HOUSE,
CHERIYA PARAPPUR P.O, VP PURAM
BP ANGADI, TIRUR, MALAPPURAM DISTRICT.

BY ADV. SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENTS:
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1. TRIPANGODE GRAMA PANCHAYAT
TRIPANGODE, MALAPPURAM DISTRICT
REPRESENTED BY ITS SECRETARY. PIN 676 108.

2. THE DISTRICT COLLECTOR
MALAPPURAM. PIN 679 325

3. THE TAHSILDAR
TIRUR TALUK, MALAPPURAM DISTRICT
PIN 676 302.

4. THE SUB INSPECTOR OF POLICE
TIRUR POLICE STATION
TIRUR MALAPPURAM DISTRICT PIN 676 302.

BY GOVERNMENT PLEADER SMT.M.K.PUSHPALATHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 32419 OF 2007 H
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Dated this the 1st day of November, 2007

J U D G M E N T

Petitioner submits that his lorry bearing No.KL8 F3821 has been seized by the respondents on the allegation that the truck was involved in the unauthorised transportation of river sand. Complaining that there has been delay in finalisation of the proceedings, petitioner seeks an order directing its release.

2. Now that proceedings have been initiated against the petitioner and the truck on the allegation of unauthorised transportation of river sand, I am not inclined to direct release of the truck at this stage of the proceedings. In terms of Rule 27 of the Protection of River Banks and Regulation of Removal of Sand Act and Rules, 2001, the 1st respondent is required to finalise the proceedings and release of the vehicle is possible only thereafter.

In the above circumstances, the writ petition will stand

disposed of directing that on production of a copy of this judgment, the 1st respondent shall expedite the proceedings and finalise the same, at any rate within ten days thereafter.

ANTONY DOMINIC, JUDGE.

Rp